

EXHIBIT E

**IN THE SUPERIOR COURT OF THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY**

JESSE H. NICHOLSON, JR.,

Petitioner,

v.

THOMAS L. CARROLL,
STANLEY TAYLOR,
PAUL HOWARD,
ANTHONY J. RENDINA,
BERNARD WILLIAMS,

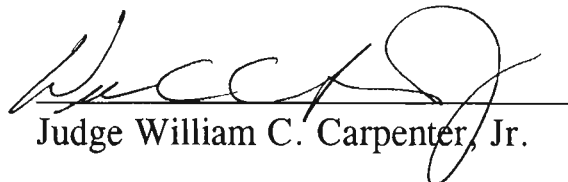
Respondents.

C.A. No. 04M-12-055 WCC

ORDER

The Court finds based upon the information contained in the motion to dismiss as well as the petitioner's response that there is a failure to state an appropriate claim for a writ of mandamus filed in the above-captioned matter and therefore the respondents motion to dismiss is hereby granted. Any perceived deprivation of due process is contributed to the petitioner's action and not that of the respondents, and the Court finds the petition is nothing more than an attempt to circumvent the appropriate administrative process at the Department of Correction which the Court will not interfere with.

IT IS SO ORDERED this 10th day of May, 2005.


Judge William C. Carpenter, Jr.